

Chapter 3

REFUGEE CASH ASSISTANCE PROGRAM

A. Program Purpose

The Refugee Cash Assistance Program (RCA) provides time limited cash assistance to eligible populations that meet the financial criteria of the Temporary Assistance for Needy Families (TANF) program, but do not meet a non-financial criterion. For example, adults with no dependent children may receive RCA. Eligible populations are defined in Chapter 1.

B. RCA/TANF Relationship

1. The RCA Program mirrors the TANF Program in that the cash payment amount is the same; the right to appeal is the same; the collection of overpayment and repayment of underpayment is the same; and case transfers are the same.
2. The RCA Program does not mirror the TANF program in that only income on the date of application is counted; there is a time limit on receipt of assistance; the first month of assistance is not prorated from the date of application; and there is no requirement for a social security number.
3. Both RCA and TANF have a work requirement. For RCA the work requirement is met through registration and participation in the Refugee Social Services Employment Program (RSSEP). RSSEP services are not provided by the local DSS. RSSEP services are provided by the local non-profit agencies under contract with the Office of Newcomer Services to provide refugee employment services. Section I below explains the RCA work requirement and the required communications with the RSSEP providers

C. Eligibility Rules

1. The application for RCA is the VDSS Application for Benefits (032-03-824-25-eng (11/10).
2. The applicant is screened for TANF eligibility.
3. An applicant is eligible for RCA if he or she meets the TANF financial requirements, does not meet one of the non-financial requirements, has documentation showing that he or she is in one of the refugee eligible groups defined in Chapter 1, and meets the RCA work requirements defined in Section I below.
4. SAVE (System for Alien Verification for Entitlement) does not contain information about victims of trafficking. If there is a problem confirming the

identity of an applicant who is a victim of human trafficking or if there appears to be a problem with the certification letter, do not deny the application. Call the federal Office of Refugee Resettlement trafficking verification line at (202) 401-5510 to confirm the validity of the certification letter or letter for children.

5. There are some financial requirements that are unique to RCA.

- a. Income on the date of application, not the average income over the application-processing period, is the criteria for eligibility for RCA.
- b. Any assets that refugees may hold in their land of origin are not considered against the limits set for TANF.
- c. Refugee populations are not 'sponsored' as that term is defined for other immigrant applicants. The income of a volunteer assisting a refugee or the resettlement office are not used in determining eligibility for the RCA program, nor are shelter or in-kind resources provided to the refugee by the refugee resettlement office.
- d. Cash payments made to the refugee under the Department of State Reception and Placement program are not counted as income or assets.

6. The application must be made within the eight month time requirements defined below.

7. The applicant cannot be a full-time student in an institution of higher education.

8. Special Considerations

- a. There is no federal requirement that RCA recipients have a social security number or show proof of application for a social security number at the time of application.
- b. If there is a situation which causes approval of a TANF application to be delayed for more than 30 days, such as a lack of a social security number or a child not meeting the school attendance requirements, RCA payments are to be made until the TANF delay is resolved.

D. Special Application Rules

- 1. The Application for Benefits serves as the application for RCA. If there is more than one person named on the application and some of the applicants are eligible for TANF and some are not, a new application for RCA is not required even if the RCA block is not checked off.

For example, if an Application for Benefits includes a parent, two children under 19 who are in school, two children over 19, and an elderly relative, there would be four cases set up for that one application. There would be one TANF case for the parent and two children and three RCA cases, one for each of the children over 19 and one for the elderly adult.

2. When one application covers multiple RCA cases, the signature of either an authorized refugee resettlement staff person or the head of the refugee family household is sufficient. Multiple signatures are not required.

E. Time Limits

1. There is an eight month time limit on the receipt of RCA. RCA recipients, who continue to meet TANF financial requirements are eligible for RCA for up to eight months.
2. The date the eight month eligibility period begins depends on the status of the applicant.
 - a. For refugees, Cuban/Haitian entrants, Afghans and Iraqis with special immigrant visas, eligibility begins the month of arrival.
 - b. For asylees, eligibility begins the month in which asylum is granted.
 - c. For victims of human trafficking, eligibility begins the month the certification letter is issued.

F. Period of Coverage

1. The period of coverage begins on the first day of the month in which the refugee submits the Application for Benefits.
2. There are no retroactive payments back to the date of entry into the U.S.

G. Cash Payment Amount

1. The RCA cash payments are the same as TANF Program cash payments. The same geographic location standards that define the payment amount for TANF define the RCA payment amount. See the TANF Manual, Need and Amount of Payment Chapter
<http://www.dss.virginia.gov/files/division/bp/tanf/manual/300.pdf> .
 - a. An adult married couple would receive the amount that a TANF assistance unit of two would receive.
 - b. An unmarried adult would receive the amount that a TANF assistance unit of one would receive.

- c. In those rare situations in which a family receives RCA, the assistance unit would receive the amount that a TANF assistance unit of the same size would receive.
2. An RCA recipient who becomes employed must report the income from employment. TANF rules regarding termination or a reduction in the amount of cash assistance apply to RCA cash payments.

H. Cash Payment and Reimbursement Process

1. There is no ADAPT code or Aide Category for RCA. The RCA Program is not part of ADAPT.
2. RCA payments are made through the local check writing system.
3. Follow local procedures for writing the check.
4. Reimbursement for the RCA payment is made through LASER budget line 819.
5. If the local agency does not have a budget line 819 allocation, estimate the amount of funds needed to cover the RCA eligibility period and make a request through the LASER Budget Request System for the amount needed to cover the RCA eligibility period.
6. Make a LASER expenditure journal entry each month an RCA payment is made. This journal entry is done the same way other expenditure entries are made. The cost code for RCA is 81901.
7. Reimbursement for the RCA expenditure is not a separate payment, but is part of the monthly LASER reimbursement. An electronic transfer is made on the last working day of the month.

I. Case Transfers

RCA case transfers are handled the same as TANF case transfers. A reapplication is not required. Since RCA cases are not in ADAPT, the sending locality is to mail the case file to the receiving agency. The receiving agency conducts a desk review to verify that there have been no changes in the case that would affect continued receipt of RCA.

J. Work Requirement

Refugee Cash Assistance is available in every Virginia locality. The RCA work requirement applies only in areas where there is a Refugee Social Services Employment Program (RSSEP).

1. Refugee Social Services Employment Program

- a. Virginia Department of Social Services' Office of Newcomer Services (ONS) administers a refugee employment program called Refugee Social Services. It is referred to in this manual as the Refugee Social Services Employment Program or RSSEP.
- b. RSSEP services are delivered by service providers under contract with ONS to provide employment services tailored to the linguistic and cultural needs of refugee populations. RSSEP services focus on self-sufficiency and include job counseling, job application assistance, job development, job placement, job orientation, job retention, and English language instruction

2. RSSEP Service and Non-Service Areas

a. RSSEP Service areas are

- i. Central Region Amelia, Caroline, Chesterfield, Fluvanna, Goochland, Hanover, Henrico, Hopewell, New Kent, Petersburg, Powhatan, Richmond City
- ii. Eastern Region Chesapeake, Hampton, Isle of Wight, James City, Newport News, Norfolk, Portsmouth, Suffolk, Surry, Virginia Beach, Williamsburg, York-Poquoson
- iii. Northern Region Alexandria, Arlington, Culpeper, Fairfax, Fredericksburg, Harrisonburg-Rockingham, Loudoun, Manassas City, Manassas Park, Orange, Prince William, Rappahannock, Shenandoah County, Spotsylvania, Stafford
- iv. Piedmont Region Albemarle, Botetourt, Charlottesville, Franklin County, Roanoke City, Roanoke County
- v. Western Region None

b. RSSEP services are not provided in the following counties and cities.

- i. Central Region: Buckingham, Charles City, Cumberland, Essex, King & Queen, King William, Lancaster, Lunenburg, Middlesex, Northumberland, Nottoway, Prince Edward, Richmond County, Westmoreland

ii. Eastern Region: Accomack, Brunswick, Dinwiddie, Franklin City, Gloucester, Greensville-Emporia, Matthews, Northampton, Prince George, Southampton, Sussex

iii. Northern Region: Clarke, Fauquier, Frederick, Greene, King George, Louisa, Madison, Page, Warren, Winchester

iv. Piedmont Region: Alleghany-Covington, Amherst, Appomattox, Bath, Bedford, Campbell, Charlotte, Craig, Danville, Halifax, Henry-Martinsville, Highland, Lynchburg, Mecklenburg, Nelson, Pittsylvania, Rockbridge-Buena Vista-Lexington, Shenandoah Valley

v. Western Region: All

c. See Appendix A, RSSEP Referral Form for the contact information for the RSSEP service areas.

3. RCA Work Registration Requirement for RSSEP Service Areas

The guidance in this section applies to RCA applicants and recipients in RSSEP service areas.

a. As a condition of eligibility for RCA, the applicant must meet one of the following requirements.

i. Be determined exempt from the RCA work registration requirement by the eligibility worker (see item 5 below), or

ii. Be registered with an RSSEP and present a copy of the registration form at the time of application. This will occur when the refugee is currently receiving services from a RSSEP service provider, or

iii. Register for the RSSEP at the time of application. This will occur both when the

a) Applicant is a client of the RSSEP, but does not have a copy of the registration form at the time of application.

b) Applicant is not a client of the RSSEP.

b. If the RCA applicant signs the registration form at the time of the RCA application, the local department of social services sends a copy of the registration form to the RSSEP within 24 hours of the application interview.

4. RCA Work Registration Exemption Criteria

An RCA applicant is exempt from the RCA work registration requirement if one of the following two exemptions is met. Any applicant who does not meet one of these two exemptions is subject to the work registration requirement. Other matters, such as disability, will be addressed by the RSSEP service provider.

- a. Geographic exemption – An RCA applicant is exempt from RCA work registration if the person does not live in one of the geographic locations served by a RSSEP provider.
- b. Age exemptions -- A RCA applicant is exempt from RCA work registration if the person
 - i. Is 65 years of age or over.
 - ii. Will not reach his 16th birthday within the eight month RCA eligibility period.
 - iii. Is between the age 16 and 18 and is a full time student at an elementary or secondary school or is a full time student at a vocational or technical school. For persons attending a vocational or technical school, full time means the person is taking course work, which the institution considers full time. The applicant's statement regarding full time school attendance is sufficient and is to be noted in the case record.

5. Intake Procedures

- a. Determine if the applicant meets the RCA eligibility requirements defined in this chapter.
- b. Determine if the applicant lives in a geographic area served by a RSSEP provider.

6. Intake Procedures for RSSEP Service Areas

- a. Determine if the applicant has a signed Refugee Social Services Employment Program Registration form. Make a copy for the case file.
- b. If the applicant does not have a signed Refugee Employment Registration form, have the person sign one during the application process. The form includes the name and address of the RSSEP service provider which the applicant must contact. Make two copies of the original.

- i. Give one copy to the applicant.
 - ii. Put the second copy in the case file.
 - iii. Send the original to the RSSEP service provider noted on the registration form within 24 hours of the application interview. This referral must be made so that the RSSEP can arrange with the applicant the provision of employment services. The RSSEP service provider will contact the refugee directly if the client does not contact the service provider.
- c. Explain to the applicant
- i. that he or she must take the form to the employment service provider listed on the form.
 - ii. that continued receipt of RCA cash payments is dependent on the refugee's cooperation with and participation in the refugee employment services program.

7. RCA Recipient Work Participation Requirements

- a. As a condition of continued eligibility for RCA, a work-registered RCA recipient must meet the RSSEP service provider participation requirements.
- b. A work-registered RCA recipient who does not meet RSSEP participation requirements is ineligible for continued receipt of RCA.
- c. The local department of social services (DSS) is to consider the RCA recipient as participating unless notified otherwise by the RSSEP.

8. Notification of Non-Participation

- a. The RSSEP service provider has the responsibility to inform the client of the participation requirements and to maintain compliance information in the RSSEP case file. (See Chapter 5.)
- b. The RSSEP provider will send written notification to the local DSS when a RCA recipient does not meet RSSEP participation requirements without good cause.

9. Termination of RCA due to Failure to Meet RCA Work Registration Requirements

- a. Upon written notice from the RSSEP service provider to the local DSS that an RCA recipient is not meeting RCA work registration participation requirements, the local DSS will send the Advance Notice of Proposed Action Form (032-03-0018-31-eng) to the client, with a copy to the RSSEP service provider.
- b. The RCA recipient has the right to appeal the determination of non-participation in a RCA work activity within 10 days of receipt of the notice.
- c. The RSSEP has the responsibility to participate in the appeal conferences and hearing and to provide documentation to support the local DSS closure action.
- d. RCA payments will be terminated effective on the first of the month following the issuance of the notice unless the RCA recipient appeals the action within the required timeframe. In situations in which the appeal period goes beyond the eight month eligibility period, RCA assistance must be terminated at the end of the eight month eligibility period.
- e. RCA sanctioning periods mirror TANF sanctioning periods. One month for the first sanction and three months for the second sanction.

K. Notices and Appeals

1. Notification of Approval or Denial

- a. The same rules regarding timeliness of application processing, notice of application determination, and notice of termination that apply to TANF cases, also apply to RCA cases.
- b. If the individual is determined ineligible for RCA, the notice must include an explanation of the reason for the ineligibility, along with a statement about the refugee's right to appeal the decision.

2. Appeals

- a. Refugees who have applied for or are receiving RCA have a right to appeal:
 - i. A denial of assistance.
 - ii. No notice of application determination within 30 days of application.
 - iii. A notice of a reduction or termination in benefits due to employment income.

- b. The same TANF appeal rules regarding timeframes and notices apply to an appeal of RCA application, with the following exceptions
 - i. For an appeal of a reduction or termination unrelated to the eight month time period, RCA payments are to continue pending the decision of the hearing officer.
 - ii. If the hearing officer finds in favor of the agency, RCA payments made during the appeal period will be recovered following the TANF payment recovery guidance.
 - iii. If RCA payments are being made during the appeal period, the payments are stopped when the eight month eligibility period is reached.
 - iv. If the appeal is related to an RCA case closure due to the expiration of the eight month time limit, RCA payments do not continue during the appeal period. If the hearing officer finds that the eight month time period was incorrectly calculated, payments will be made after the decision is rendered.
- c. The hearing officer's decision may be appealed to the Administrative Review Panel of the Appeals & Fair Hearings Unit. A decision on the case will be made in writing within 60 days of the date that the refugee requests a hearing.
- d. The refugee should be notified that free legal advice can be obtained through the local legal aid office.